

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TAMMY MARTIN <i>Plaintiff</i>	:	CIVIL ACTION
	:	
	:	
v.	:	NO. 20-5760
	:	
	:	
KILOLO KIJAKAZI, Acting Commissioner of Social Security <i>Defendant</i>	:	

ORDER

AND NOW, this 31st day of October 2022, upon careful and independent consideration of the administrative record, [ECF 12], the brief in support of review filed by Plaintiff, Defendant’s response thereto, and Plaintiff’s reply [ECFs 13–15], and the *Report and Recommendation* (the “R&R”) issued on October 11, 2022, by the Honorable David R. Strawbridge, United States Magistrate Judge, [ECF 17], to which no objections were filed, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;¹
2. Plaintiff’s Request for Review is **DENIED**;
3. Pursuant to 42 U.S.C. § 405(g), the decision of the Acting Commissioner of Social Security is **AFFIRMED**, and
4. The Clerk of Court is directed to mark this matter **CLOSED**.

BY THE COURT:

/s/ Nitza I. Quiñones Alejandro
NITZA I. QUIÑONES ALEJANDRO
Judge, United States District Court

¹ As noted, neither Plaintiff nor the Acting Commissioner filed any objection and/or response to the *Report and Recommendation* (the “R&R”). In the absence of any objections, this Court reviewed the R&R under the “plain error” standard. *See Facyson v. Barnhart*, 2003 WL 22436274, at *2 (E.D. Pa. May 30, 2003). Under this plain error standard of review, an R&R should only be rejected if the magistrate judge commits an error that was “(1) clear or obvious, (2) affect[ed] ‘substantial rights,’ and (3) seriously affected the fairness, integrity or public reputation of judicial proceedings.” *Leyva v. Williams*, 504 F.3d 357, 363 (3d Cir. 2007) (internal quotations and citations omitted). Here, after a thorough review of the record and the R&R, this Court finds no error was committed by the Magistrate Judge and, therefore, adopts the R&R in its entirety.